

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT MICHAEL KALTHOFF,
KATHERINE KALTHOFF, EVIE VIERA,
DAVID ISENBERG, JIM THULIN, SEAN
WARD, ZORKA AGUILAR, WORLD CLASS
PROPERTY MANAGEMENT, INC., a Nevada
Corporation, and JETCO INDUSTRIES, a
Nevada Corporation,

Plaintiffs,

vs.

DOUGLAS COUNTY, a political subdivision
of the State of Nevada,

Defendant.

Case No. 3:21-cv-00293

**ORDER TO VACATE BRIEFING
SCHEDULE AND HEARING ON
PRELIMINARY INJUNCTION**

Plaintiffs Robert Michael Kalthoff, Katherine Kalthoff, Evie Viera, David Isenberg, Jim Thulin, Sean Ward, Zorka Aguilar, World Class Property Management, Inc., and Jetco Industries (collectively, the “VHR Parties”), and Defendant Douglas County, hereby submit this stipulation and proposed order.

A hearing was held on a Motion for Temporary Restraining Order and Preliminary Injunction on July 14, 2021. The Court granted in part and denied in part the Temporary

1 Restraining Order and set a briefing schedule for blind briefs to be submitted on August 3, 2021,
2 and set a hearing on the Preliminary Injunction for August 26, 2021.

3 The Parties have engaged in settlement negotiations in order to present an amended
4 Ordinance to the Douglas County Commissioners for consideration. The first reading of that
5 amendment could occur on August 5, 2021, and would next be presented to the Douglas County
6 Planning Commission on August 10, 2021. A duly noticed public hearing to consider the
7 proposed amendments would likely be held on September 2, 2021, at which time the County
8 Commissioners will act on the proposed amendments after taking public comment and hearing
9 the evidence presented. If, after the public hearing and the action of the Board of County
10 Commissioners, there are unresolved issues with the amended Ordinance, the Parties will submit
11 blind briefs to the Court by September 17, 2021, and will set a hearing on the Preliminary
12 injunction within three weeks at a date which is convenient for the Court. In the interim the
13 Temporary Restraining Order issued by this Court on July 15 2021 will remain in effect until a
14 ruling is made on a Preliminary Injunction.

15 Plaintiffs with valid VHR permits as of June 3, 2021, will be able to continue to utilize
16 their existing VHR permits until it is time for the permit's renewal at which time the VHR
17 permits will be subject to the applicable VHR tier requirements and conditions in Douglas
18 County Code Chapter 20.622 as modified by the Court's July 15, 2021, Order (ECF No. 14). In
19 the case of Plaintiffs who will apply to become Tier 3 VHR permit holders, they will have 180
20 days from the date of their VHR permit renewal application to obtain a special use permit subject
21 to adjustments for occupancy based on the number of bedrooms at the time of renewal (two
22 occupants per bedroom). If any Plaintiff believes their VHR Permit was improperly processed or
23 denied from July 15, 2021, through October 1, 2021, then they may challenge the denial or
24 modification of the VHR permit renewal conditions with this Honorable Court. Nothing in this

1 Stipulation waives any arguments by the VHR Plaintiffs that certain provisions of the new
2 ordinance, as potentially amended in the future, are illegal or unconstitutional.

3 Therefore, the VHR Parties and Defendant Douglas County hereby jointly and
4 respectfully request that the blind briefs currently due on August 2, 2021, under the Court's order
5 of July 15, 2021 (ECF No. 14), will now be due on September 17, 2021, and that the Preliminary
6 Injunction Hearing set for August 26, 2021, be vacated and rescheduled at a convenient time for
7 the Court in October 2021.

8 Dated this 29th day of July, 2021.

Dated this 29th day of July, 2021.

9 DOUGLAS COUNTY

KAEMPFER CROWELL

10 /s/Douglas V. Ritchie

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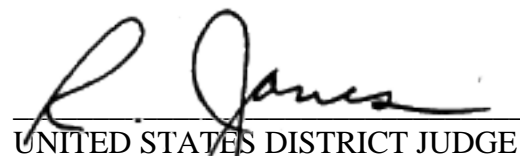
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17 Attorney for Douglas County

Attorney for VHR Parties

18 **ORDER**

19 IT IS SO ORDERED:

20
21 
22 UNITED STATES DISTRICT JUDGE

23 Dated: August 3, 2021.